

ASSEMBLY, No. 5568

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

SYNOPSIS

Directs DEP to study and determine whether monarch butterfly should be designated as endangered species in NJ.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2021)

1 AN ACT concerning the conservation of monarch butterflies and
2 supplementing P.L.1973, c.309 (C.23:2A-1 et seq.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6

7 1. a. The department shall study and make a determination as to
8 whether the monarch butterfly should be designated as an
9 endangered species in New Jersey.

10 b. In conducting the study and making the determination
11 pursuant to this section, the department shall:

12 (1) investigate populations, distribution, habitat needs, limiting
13 factors, and other biological and ecological data concerning the
14 State's monarch butterfly population to assess the current health of
15 the monarch species in New Jersey and determine management
16 measures necessary for the continued survival of the species
17 throughout the State;

18 (2) consider the feasibility and potential advantages and
19 disadvantages of designating the monarch butterfly as an
20 endangered species in New Jersey; and

21 (3) determine whether the monarch butterfly should be
22 designated as an endangered species pursuant to "The Endangered
23 and Nongame Species Conservation Act," P.L.1973, c.309
24 (C.23:2A-1 et seq.).

25 c. If the department determines that the monarch butterfly
26 should be designated as an endangered species and therefore,
27 requires additional conservation, protection, and management
28 efforts in order to ensure the survival of the species throughout the
29 State, then the commissioner shall:

30 (1) by rule or regulation, amend the State list of endangered
31 species adopted pursuant to section 4 of P.L.1973, c.309 (C.23:2A-
32 4) to include the monarch butterfly; and

33 (2) determine and implement the protection and management
34 actions necessary to ensure the survival of the State's monarch
35 butterfly species.

36 d. No later than one year after the effective date of this act, the
37 department shall prepare and submit a report of its findings to the
38 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
39 19.1), the Legislature. The report shall include the department's
40 decision as to whether or not the monarch butterfly should be
41 designated as an endangered species and, if so, recommendations to
42 further protect and conserve monarch butterflies throughout the
43 State.
44

45 2. This act shall take effect immediately.

STATEMENT

This bill directs the Department of Environmental Protection (DEP) to conduct a study and determine whether the monarch butterfly should be designated as an endangered species in New Jersey.

Specifically, this bill would require the DEP, within 90 days after the date the bill is enacted into law, to:

(1) investigate populations, distribution, habitat needs, limiting factors, and other biological and ecological data concerning the State's monarch butterfly population to assess the current health of the monarch species in New Jersey and determine management measures necessary for the continued survival of the species throughout the State;

(2) consider the feasibility and potential advantages and disadvantages of designating the monarch butterfly as an endangered species in New Jersey; and

(3) determine whether the monarch butterfly should be designated as an endangered species according to "The Endangered and Nongame Species Conservation Act," P.L.1973, c.309 (C.23:2A-1 et seq.).

If the DEP determines that the monarch butterfly should be designated as an endangered species then the commissioner is required to, by rule or regulation, amend the State list of endangered species to include the monarch butterfly and to determine and implement the appropriate protection and management actions necessary to ensure the survival of the State's monarch butterfly species.

Approximately, ninety percent of the world's population of monarch butterflies is located within North America. However, monarchs also inhabit about ninety other countries, islands, or island groups around the world. Populations of monarchs have declined significantly worldwide, and within the past forty years, America's eastern population of monarchs has seen population decreases by more than eighty percent. Climate change, insecticides, habitat loss, and wildfires are factors that may have contributed to this recent decline in the monarch species.

After a thorough assessment of the monarch butterfly's status, the U.S. Fish and Wildlife Service (Service) found that listing the monarch butterfly as an endangered species or threatened species is warranted but precluded by higher-priority listing actions. The Service added the monarch butterfly to the candidate list as priority number eight, which indicates that the magnitude of threats to the species is moderate and that those threats are imminent. The status of the monarch butterfly will continue to be assessed annually until a listing decision is made. The current decision effectively recognizes that monarch butterflies are threatened with extinction,

1 but does not provide the protections needed to help the monarchs
2 recover.

3 The State of New Jersey is also affected by the population
4 decline of monarchs. Monarch butterflies are among the group of
5 native pollinators that aid in the successful reproduction of many
6 key fruit and vegetable crops across the State, and are crucial to
7 New Jersey's agricultural and economic success. Monarchs are also
8 an indicator species for environmental health, so the recent decline
9 in the health of the monarch species serves as an indicator of recent
10 environmental struggles within the State.

11 Under New Jersey's Division of Fish and Wildlife's Endangered
12 and Nongame Species Program, the designation of "endangered
13 species" applies to a species whose prospects for survival within the
14 State are in immediate danger and likely requires immediate action
15 to avoid extinction within the State. The DEP has the opportunity
16 to protect monarch butterflies throughout the State by further
17 studying the current status of monarch butterflies and determining
18 whether or not it would be beneficial to designate the monarch
19 butterfly as an endangered species in New Jersey.